### LA County Department of Regional Planning Zoning Enforcement West Area

# Introduction to Property Zoning Regulations | LA County Unincorporated Communities

Good morning, my name is Elsa Rodriguez and I am a planner at Los Angeles County's Department of Regional Planning. Today's presentation is an introduction to property zoning regulations within the unincorporated communities of Los Angeles County. As an inspector, I often meet real estate agents that are unfamiliar with zoning regulations. When I see a "for sale" sign go up on a property with an existing violation, I always try to make contact with the real estate agent prior to the sale of the property. Most importantly, I often deal with property owners who recently purchased a property with existing violations. At that time it's my job to advise the new homeowners that they just purchased a property with an existing zoning violation and they are now responsible for correcting the zoning violation.

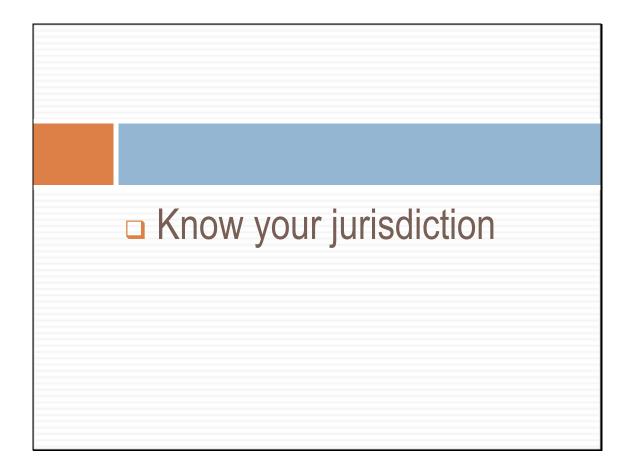
<u>LA County does not have a mandatory inspection program. We do not conduct inspections of properties</u> when they are transferred to a new owner. Therefore, it is imperative that all real estate agents, prospective property owners and business owners know the zoning requirements prior to purchasing a property.

In response to this recurring problem, we created this educational presentation to show examples of why it's important to research zoning regulations before purchasing a property.

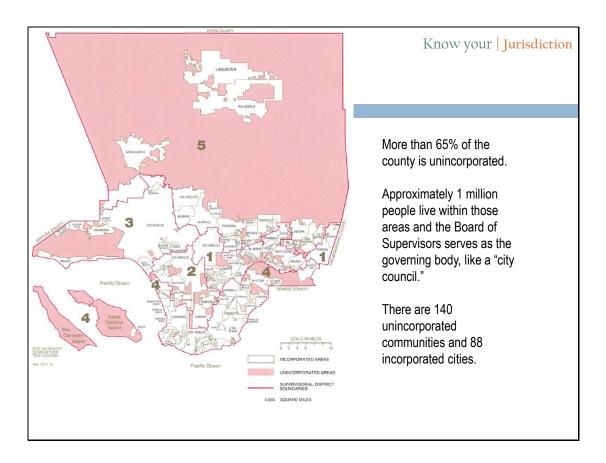
# The Four "Knows" Before You Buy: I Know your jurisdiction Know your zone Know how to access the zoning code Know if it's legal

Today's presentation will be organized in the following order:

The "Four Knows" before buying are also listed in the brochure we developed in conjunction with this presentation. After, I will also discuss 8 case studies of property and business owners who failed to conduct any zoning research and the consequences from each case.



The first "Know" before buying a property is "knowing your jurisdiction."

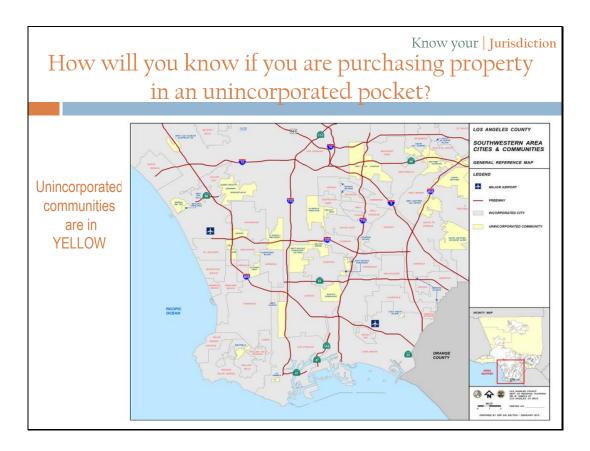


The image depicts the unincorporated communities in light red, while the incorporated cities are in white. The map also highlights the boundaries of the 5 Supervisorial Districts.

The unincorporated communities are very diverse, from the rural High Desert to the Santa Monica Mountains, from dense urban areas between Compton, and south LA to areas such as Rowland Heights, and portions of unincorporated La Verne and Claremont on the eastern end of the county.

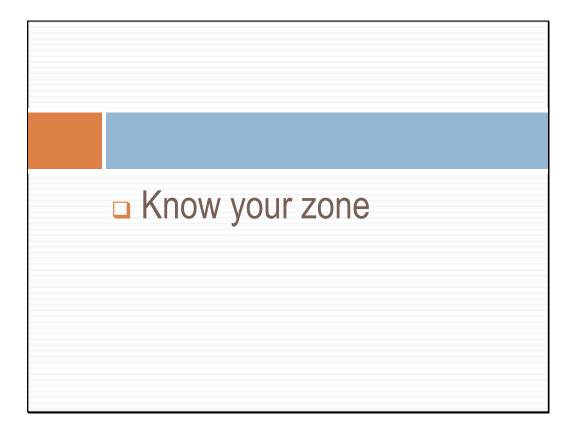
If you look closely at the map you can identify unincorporated areas abutting major cities. I often refer to these as "islands."

Unincorporated islands are not always identified by the US postal service; therefore, you should confirm your exact jurisdiction before purchasing a property. The post office follows zip codes, so homes that are located in the unincorporated community of Willowbrook will often have the same zip code as the City of Compton and their correspondence will not include the unincorporated community name. This can cause confusion for homeowners who often do not know they live in an unincorporated community.



This map highlights some of the unincorporated communities in the southwestern part of the county.

It is not always easy to know if you are in the County or a City. Zoning regulations can differ even if one side of the street is within city limits and the other side within the unincorporated Los Angeles County. Always try to visit the planning counter of the city or unincorporated community in which you are planning on purchasing or opening a business. In later slide I will show you how a public tool known as (Z-Net) to determine the jurisdiction of your property.



The second "know" is to determine your zone. Cities and unincorporated communities have designated zones for parcels in the community. The zone often determines what you can do on your property. Before purchasing a property or opening a business verify your zone.

Know your Zone

# What is Zoning?

The regulation of land uses by local government to separate incompatible land uses and protect the general welfare.

Such regulations typically result in a designation of land into districts that may include:

Residential (R-1, R-2, R-3...)

Commercial (C-1, C-2, C-3...)

Agricultural (A-1, A-2...)

Industrial (M-1, M-2...)

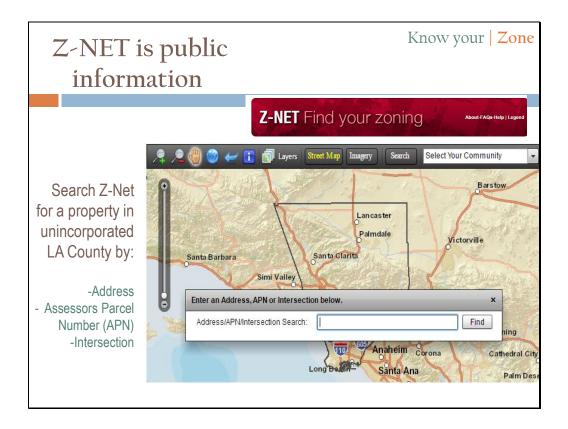
Before moving forward I want to explain how zoning regulates land use. The purpose of zoning is to ensure orderly development while balancing property rights and protecting the quality of life for all residents in a community.

Title 22 (LA County Planning & Zoning Code) lists uses that are permitted or conditionally permitted in each zone. The zoning code also contains development standards that control the design and form of development. The zoning code is the tool used to implement the policies and goals of the General Plan. The General Plan is a long term plan that lists the goals and policies that will govern the development of the county for the next 20 years. The zoning code and a general plan are adopted by the Los Angeles County, Board of Supervisors.

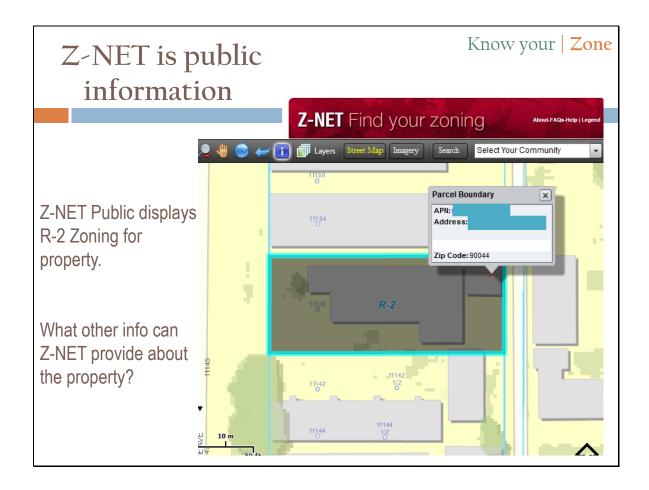
A zoning violation occurs when a land use or activity is maintained contrary to the Zoning Code. Some zoning violations are obvious and can be seen while standing on the sidewalk or driving by, while others require more research.



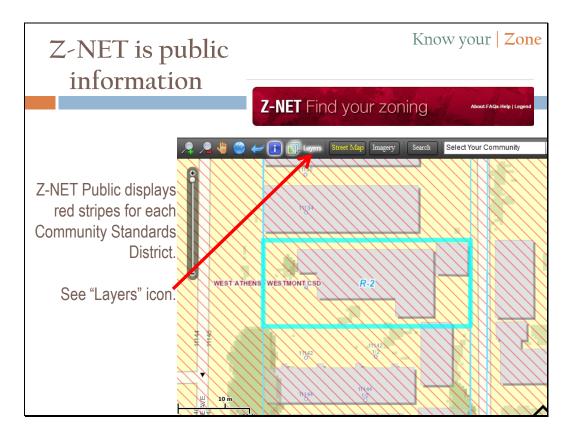
The DRP website has a tool to find your zoning. Z-Net is located on the homepage and can assist prospective homeowners and real estate professionals determine what jurisdiction a property is in.



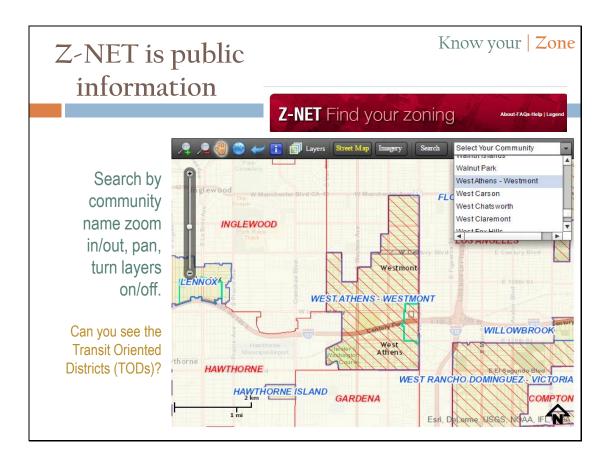
You can search Z-Net by APN, address & intersection.



This image depicts a parcel zoned R-2 and lies within the unincorporated community of West Athens Westmont.

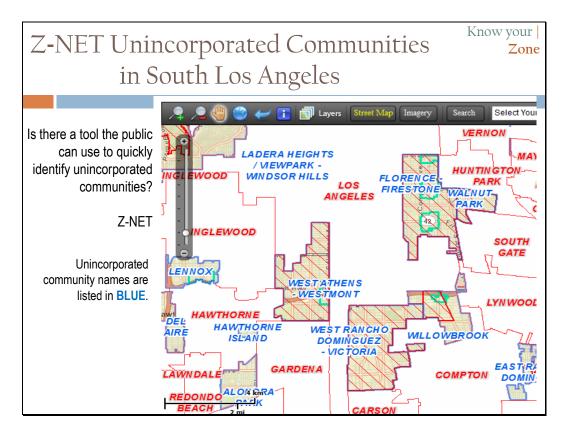


Z-Net also allows you to turn layers on and off. In this case I turned on the Community Standards Districts otherwise known as a (CSD). The CSD is an additional layer of regulation applied to a community that addresses specific goals or issues for such community. For example, the Westmont West Athens CSD requires property owners to maintain a minimum of 50% of their front yard landscaped; this is unique to that community.

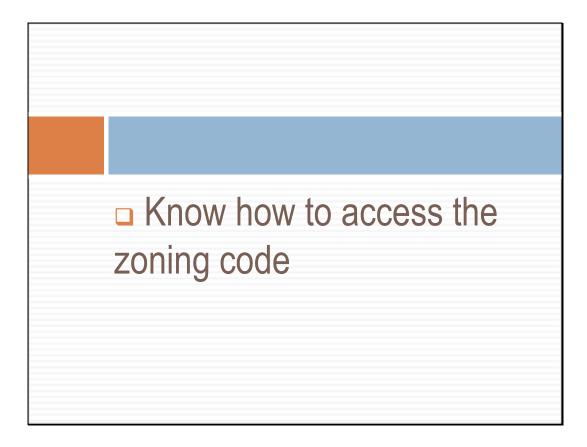


You can also search by the name of your community. In this case I have highlighted West Athens Westmont and you can see the neighboring unincorporated communities such as Lennox and Willowbrook and West Rancho Dominguez. You can zoom in and out.

I like this map because you can see how these County communities are integrated next to incorporated cities. Also important to note is the TOD (Transit Oriented Districts) areas outlined in green. These areas contain Metro rail stops and have their own set of standards that apply to development within the TOD.



Lastly, this slide highlights the communities in South LA abutting incorporated cities. The unincorporated communities' names are in blue, while the cities are in red.



Now that you know how to determine your jurisdiction and how to identify your zone, you should know what you can do on your property and what sort of design or permits may be required? The next set of slides will cover how to access the zoning code and how it is organized.

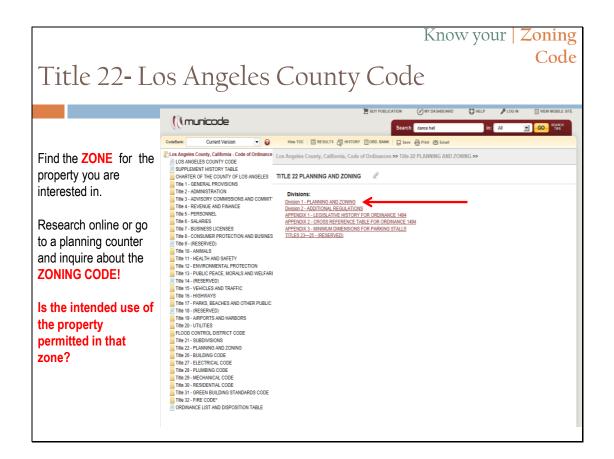


Our webpage provides up to date information on discretionary cases, upcoming hearings, plans and ordinances. It also provides applications and forms necessary for development, maps and zoning information.

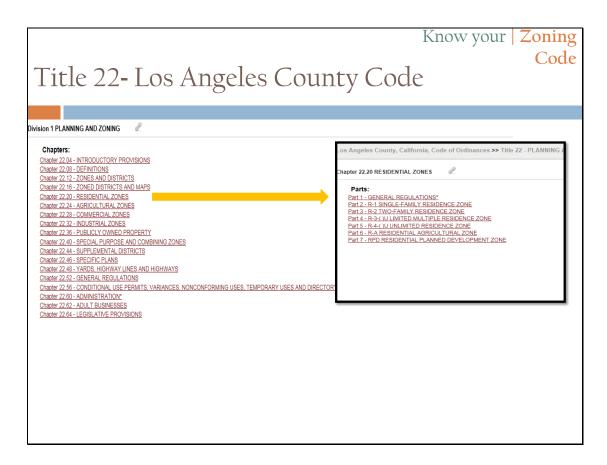
The Department of Regional Planning performs all land use planning functions for the unincorporated areas of L.A. County. One of those functions is to enforce and implement the Los Angeles County Zoning Code, Title 22. The Zoning Code regulates the uses on a property, including the form and design. The Zoning Enforcement Section is responsible for implementing and enforcing the zoning code.



Access to Title 22 can be found on our home page. Point to dashed box under "Land Use & Zoning."



Click on Planning & Zoning



This is the table of contents for Title 22. The arrow above is pointing to residential zones, if you click on it all the regulations will be listed and the specific R-1, R-2, R-3 and R-4 zoning information is outlined.

# Know your | Zoning Code

# Zoning Code Categories

Category	Meaning
Permitted uses	"allowed by right w/ site plan"
Accessory uses	"allowed as an accessory to a primary use"
Uses subject to directors review	"allowed with an approved site plan, may trigger noticing or conditions"
Uses subject to permits	"allowed with a conditional use permit"
Development standards	"required development standards for that use"

Before moving forward I would like to discuss how categories are listed in the Zoning Code. Although these are not all the categories in the zoning code (Title 22), these are the most common.

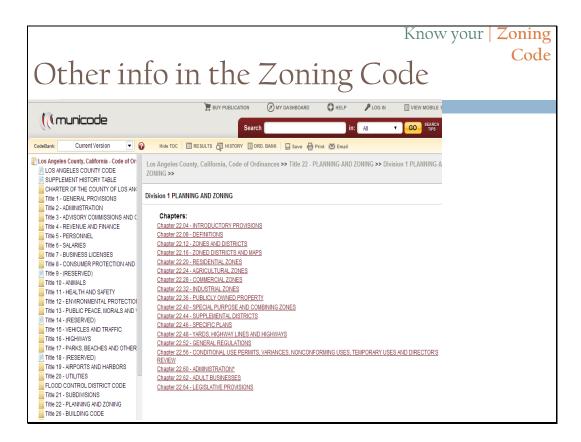
<u>Permitted</u>- means a use that is allowed to operate by right in that zone with a site plan. A site plan depicts the layout of your property and the locations of all your existing and proposed structures. It's a "bird's eye view drawing of the property."

<u>Accessory</u> – means a structure subordinate to the primary use. For example, a storage shed is a permitted accessory structure/use to a single family home.

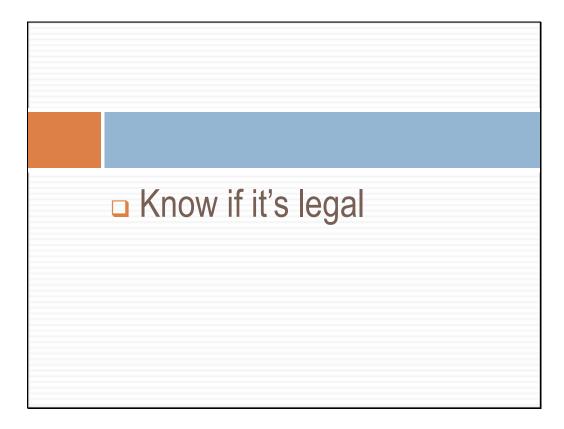
A <u>Directors review</u>- means you must submit a site plan for a new use or structure being proposed. Even though this application is an administrative review process, it can include notification and depending on the findings, it can include some conditions for your project.

Uses <u>Subject to permits</u> - typically means it triggers a Conditional Use Permit (CUP). Such permits are discretionary, which means they are subject to a hearing and public comment.

<u>Development standards</u>- are those guidelines such as: building height, setbacks, signage, fences, parking, landscaping, and outside storage. Such regulations differ depending on the zone.



Besides information about residential uses, Title 22, Chapter 22.44 also includes Supplemental Districts such as the Community Standards Districts, Equestrian Districts, Agricultural zones, Commercial Zones, Industrial Zones, and even information about alcohol and adult related businesses.



Now that you have learned how to access the zoning code, you should ask yourself if what you see on the property is legal. Or if what you intend to use the property for is legal otherwise unpermitted structures or uses can lead a zoning violation.

What is a zoning violation?

A zoning violation is any land use/activity maintained on a property contrary to the provisions of Title 22- LA County's Planning and Zoning Code.

A zoning violation is a misdemeanor or an infraction against a property owner in a court of law, it does NOT lead to a lien therefore will NOT appear in a title search.

Property owners may be referred to LA County's District Attorney's Office Code Enforcement Unit for prosecution, if no action is taken to abate violations.

LA County does NOT inspect properties when they are transferred to a new owner. Therefore, it is important for YOU to conduct your own research.

Read the slide.



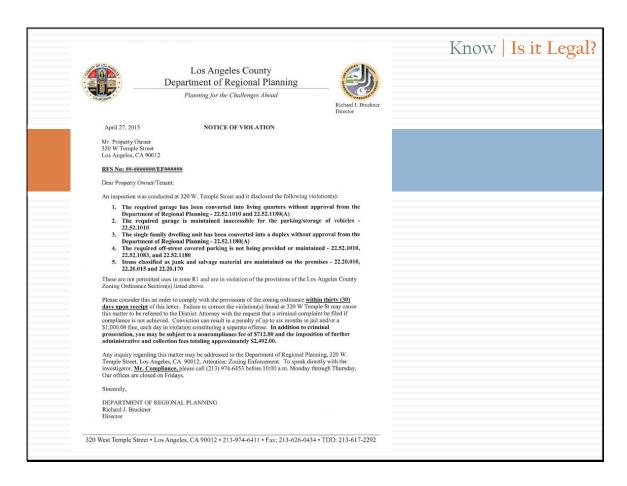
The following images depict some common zoning violations inspectors see in the field including garage conversions, unpermitted additions, junk & salvage, and inoperable vehicles. In the case of a garage, the image depicts how vehicle access to the garage has been blocked and doors and windows have been added over the years to create an illegal habitable space.

While there are many causes for neighborhood deterioration, one important and preventable factor is the intrusion of illegal uses. Preventing illegal uses such as these can be a tool for neighborhood maintenance and enhancement.



Other violations include parking or storing vehicles on the lawn, an over height fence, unpermitted home based businesses such as auto repair and excessive yard sales in residential zones. Yes! The zoning code does tell us how many yard sales are permitted and also lists the permitted fence heights in all zones.

Some violations are easier to abate than others, the violations shown here are not structural.



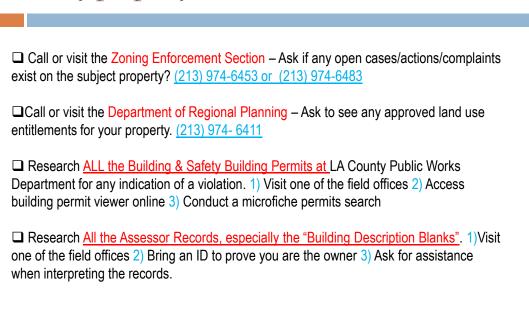
The image depicts a copy of a Notice of Violation (NOV); it itemizes the violations & code sections and gives a 30 day compliance date. All except one of the violations listed are structural and take a significant amount of time and money to legalize/abate.

This owner thought he purchased a duplex plus a guest house, but in fact only one dwelling was legal and the "guest house" was a converted garage. He chose to restore the garage, legalize the duplex and provide the required covered parking with a 3-car carport. His plans were approved by DRP and he is working with Building & Safety to pull the required building permits. This is a costly investment, and the owner could have avoided all the hassle if he would have done some research.

I hope that by attending this presentation you will be able to avoid all code violations and be able to conduct research before purchasing a property.

Know | Is it Legal?

# Does my property have a violation?

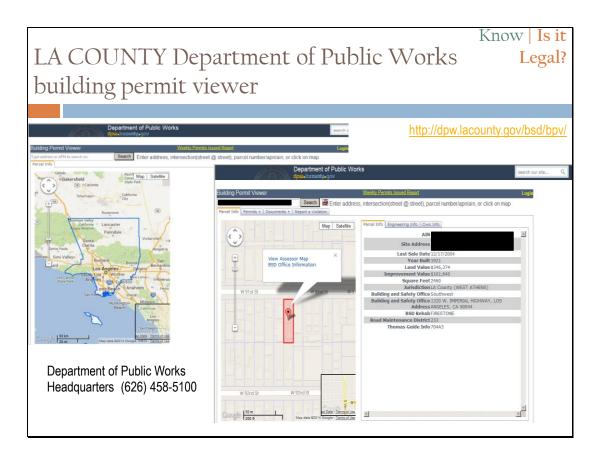


How will you know if your property has a zoning violation? You may begin by calling or visiting the Zoning Enforcement Section and asking if there are any open cases at your property. Also, just because there is no "history" of zoning violations at your property, does not mean that your property is free of zoning violations or other code violations, including, but not limited to, building code violations and Fire Code violations.

Then the next step would be to pull all the existing building permits for your property at the Department of Public Works - Building & Safety Office. I am not an employee for the DPW; questions regarding building permits should be addressed to them.

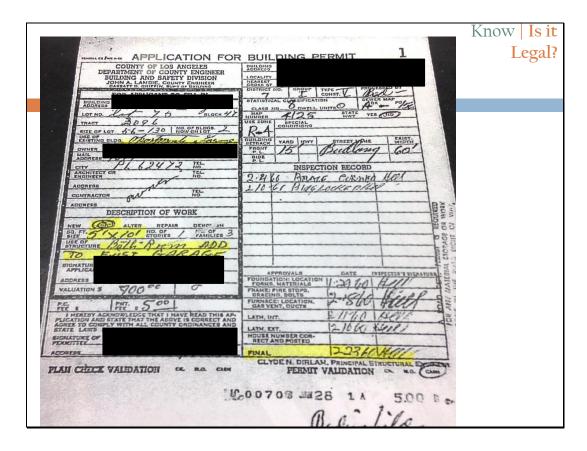
Last, you should visit the LA County Assessor's Office and pull the "building description blanks" for your property. These records depict a drawing of the structures on your parcel. You should always ask for assistance when interpreting these records.

As a quick reminder, these research methods apply only if you are purchasing property within the unincorporated communities of Los Angeles County. You can use our free online tool (Z-Net) to identify if your property is within unincorporated Los Angeles County.



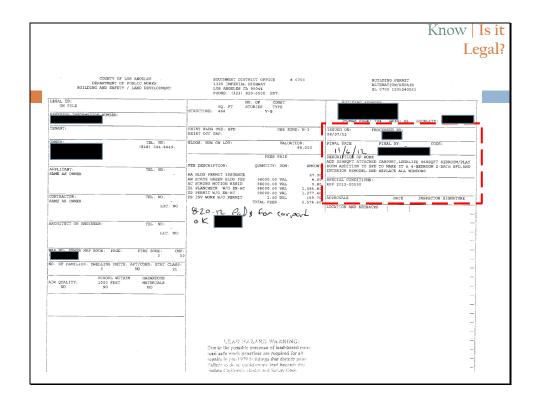
The website above is a public tool that lets you view permits that have been obtained for a certain property. You can search for permits by address, cross streets and Assessor's Parcel Number (APN). The tabs at the top list the open and expired permits for a property.

My recommendation is to do some basic research online, but always visit B&S field office and ask for clarification on all the permits. Permit Viewer is not all inclusive and it is not always updated.



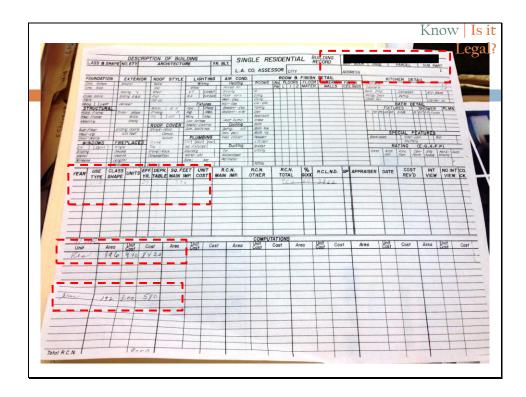
Above is an example of what a building permit from the 1960s may look like. I obtained this permit by requesting a microfiche search of building permits at one of the local B&S field offices. An important item to look for is the "final inspection date." Also as part of my research I always read the description of work performed, in this case the property owners "added a 5'X10' bathroom to an existing garage. Other details of the property are that this property was in fact a single level triplex "No. of Families indicates -3" and "No. of stories is #1."

Again, I am not an employee of DPW all questions and research should be directed at a building official. This permit is just one of many potential examples.



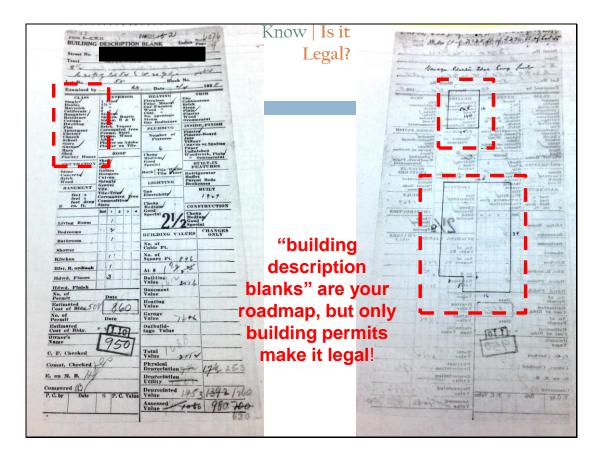
This is an example of a newer building permit, it was issued in 2012 and according to the description of work, the permit was obtained to add an attached 324sf carport, legalize a 468sf playroom/bedroom addition to make it a 4 bedroom 2 baths SFD. Often times building permits are not finalized. It is important to call B&S and request a final inspection otherwise, the permit remains opened and runs the risk of expiring which can lead to having to obtain another permit at an additional cost. Luckily this building permit was finalized.

In the majority of my cases B&S inspectors give property owners corrections/advise as to how to perform the work and then after they satisfy the B&S code, the new construction inspector closes out the case by granting it a final signature. It's important to remember that the B&S code is different from the zoning code. A property owner or a licensed contractor can obtain building permits for new construction, but anyone can obtain permit history of a property for small fee.



This is an example of a "building description blank" from the assessor's office. The red dashed detail that this property includes a 896 square foot "Res" or residence and a 192 square foot "Gar" or garage.

These documents are not easy to read and you should always ask for help from staff at LA County Assessor's Office .



If you flip the page over, there is a drawing of the "Res" and "Gar." <u>Please remember these records are a helpful roadmap, but ONLY building permits make a structure legal.</u> The assessor taxes you on whatever is present at the property, they do not verify if it's legal. They are there to asses taxes.

## **BUYER BEWARE!!**

Eight Property Case Studies | Why Zoning Research Matters

The next few slides are a series of case studies we have compiled that best depict the importance of doing zoning research before purchasing a property. Every case has a unique set of circumstances and represents a violation of Title 22. As you may have already guessed, these violations were not always visible from the street. These are typically structural violations that triggered additional permits.

## Case #1 Dance Hall in C-3 Zone

Is the nature of my business permitted by right? Or do I need a permit?

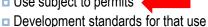


A man purchased a commercial property in a C-3 (Unlimited Commercial) zone in South LA. He placed his life savings into the purchase and did not bother to conduct any preliminary research regarding the property. He wanted to open a banquet hall business and have alcohol sales onsite.

Before making the purchase he should have asked himself if the proposed business is permitted by right or If it needs a permit to operate? Someone submitted an anonymous complaint to my office regarding the noise, parking problems and alcohol sales at the property. As a result, I opened a case and began researching the matter.

### Dance Hall in C-3 Zone

- □ "Dance Hall" are these uses permitted in Title 22?
- No onsite parking, noise complaints, alcohol sales?
- □ Triggers CUP application approximately \$9,000 cost and one year to review.
- □ What does the Zoning Code say about C-3 zones?
  - Permitted use
  - Accessory use
  - Use subject to site plan review
  - Use subject to permits



I looked at the zoning code and learned that a "Dance Hall" in the C-3 zone is permitted only with an approved conditional use permit (CUP). A CUP is a significant investment; it costs approximately \$9,000 and takes about 6-9 months to review depending on the project, and several more months for controversial projects and the planner's case load.

A CUP triggers a public hearing, which means that neighboring property owners will be notified to let them know of the proposed business. The scope of the proposed project will be shared with other L.A. County agencies such as Public Works, Fire & Health to name a few. There is no guarantee the CUP will be approved. If it is approved there are a set of conditions tied to the CUP, such as hours of operation, parking requirements, state alcohol licensing requirements, etc..that must be met in order to operate.

In this case without the approved CUP from the Department of Regional Planning, an LA County business license will not be issued for the business.

Another important aspect is that a CUP may be renewed and it REMAINS with the property. So if the operator goes out of business another similar business owner can come and occupy the space if the CUP has not expired.

The property owner failed to apply for a CUP and was sent to L.A. County Tax Collector, he has accumulated a total of \$2,464.00 and the next step is a referral to the County's District Attorney's office for criminal prosecution.

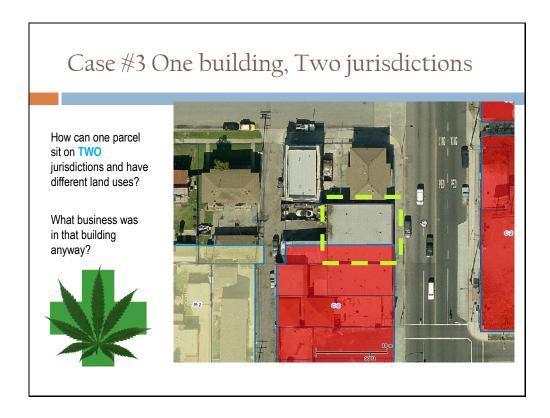


A property owner was cited for having a garage conversion and an unpermitted addition to the garage after our Zoning Enforcement (ZE) section received a complaint.

After doing some research, I learned that his parcel was located within an unincorporated community as well as an incorporated city. However, the violation was located on the county side.

Jurisdictional boundaries are not perfect. Often boundaries were established before we had the technology that we have today. Zones in maps were often depicted as "blobs" instead of parcel based. The owner of the property had no idea his property was split before purchasing his home. Finding a property within two jurisdictions is not as uncommon as you may imagine.

He ended up restoring the garage and attempted to legalize the unpermitted addition to the garage as storage. However, his plot plan was denied because he did not meet the standards. In this case the neighboring city had to be notified about the project and the owner was very upset when he learned he had a split parcel. He spent several hours going back and forth to determine if he could legalize the storage addition to his garage. It is important that all real estate professionals and homeowners find out if their parcel is split in order to avoid the hassle of dealing with two jurisdictions instead of one.



A complaint was submitted to the ZE section regarding a new medical marijuana dispensary (MMD) business. MMDs are not permitted in the unincorporated communities of Los Angeles County. However, many other cities do permit these types of businesses, including the city of LA.

After doing some research, I learned that approximately 17 feet of the building was located in the unincorporated community, while the remaining 50 feet of the building was located in the City of LA. The building was in the middle of two jurisdictions.

The business owner removed his business from the county side; he was very upset since he lost a front door and additional display area for his business. In order to avoid a similar situation all business owners should research and verify that their business is allowed in that zone.

The map image depicts the county with red shading while the building outline is within the dashed green lines.



The ZE section received a complaint for auto repair and unpermitted additions to a single family home. After conducting an inspection I found that there was an entire unpermitted second unit behind the original 1928 single family residence (SFR).

This particular property is zoned R-2 and therefore the owner had the option to legalize the second unit as long as they could meet the development standards. In this case the owner ceased the auto repair and submitted a plot plan to legalize the second unit. The owner stated she purchased the property that way and did not know the second unit was unpermitted. Her plot plan was approved by DRP, she must build a new covered 3-car carport to meet the today's parking requirements and she must pull building permits to legalize the second unit.

Before purchasing a property verify that all structures are legal at the local Building & Safety Office. This owner would have spared herself thousands of dollars if she would have consulted with building & safety prior to purchasing the property.



The ZE section received a complaint for an unpermitted unit. After researching old plot plans and building permits, I learned that there was a legal SFR built in 1923. Then in 1989 a large 2,600 square foot single family home and a 3-car carport built behind the original home.

However, when I conducted an inspection I learned that the rear SFR built in 1989 had been subdivided into a triplex and was rented out to three different families.



This image depicts the view of the SFR converted into a triplex from the alley. One of the units is only accessible through the enclosed carport. Not only did this owner illegally subdivide his SFR, but he also made the required covered parking space inaccessible by enclosing it and adding a staircase. The other two carports are also inaccessible because the owner stores his personal items there, blocking covered parking for his tenants.

The owner refused to restore the SFR back to its approved use and he was referred to the L.A. County District Attorney's Office (DA). He did not want to remove the extra kitchens or the subdividing walls. The property went into foreclosure and is now owned by a bank. I am currently working with them to prevent the property from being transferred to a new owner without disclosing the violations.

A dwelling unit contains 1 kitchen and in this case the SFR contained 3 kitchens

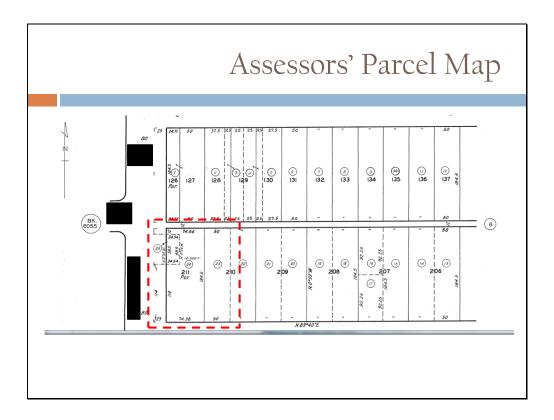
Buyer beware.

## Case #6 used car sales lot in C-2



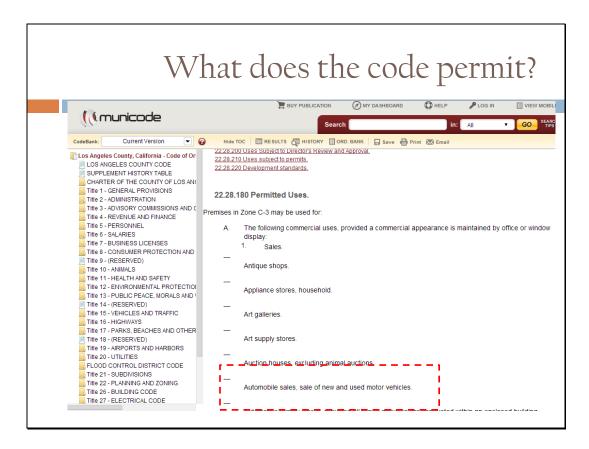
The ZE section received a complaint for an unpermitted carwash operating in C-2 zone. When I went out there I observed a carwash business operating inside a few patios with garden hoses. I noticed the water was seeping into the dirt and running along the sidewalks. When I contacted the owner, and learned that his vision for the large lot was to open a used car sales lot.

So I began my research.

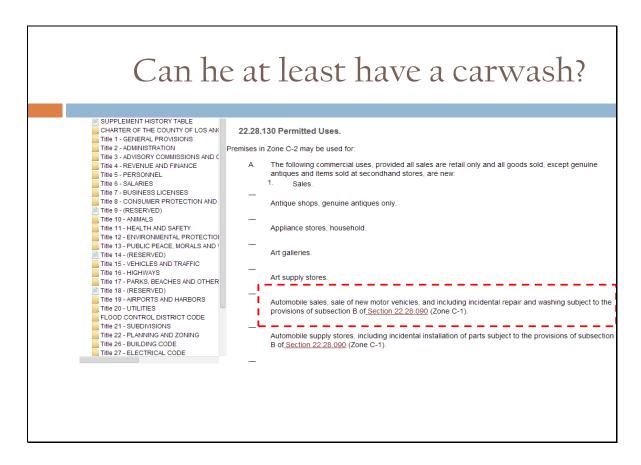


The first thing I noticed was that the large corner lot was actually three parcels, each with its own APN number.

I also noticed a dashed line, in most instances it means that a parcel was created by deed in lieu of a subdivision. These type of lots often trigger additional research and a property owner must obtain a Certificate of Compliance from DRP's Land Divisions Research Section. They can be reached at 213 974-5035.



I looked in the code to see if he could establish a used car sales lot and found that the sale of new and used motor vehicles is permitted by right in the C-3 zone. The property is zoned C-2, and only allows the sale of new motor vehicles, not used.



He asked me if he could at least establish a carwash, and unfortunately automobile washing, waxing and polishing is only permitted in the C-2 zones as an accessory to new car sales.

This owner decided to apply for a zone change, from a C-2 to a C-3. I learned that he owned several used auto sales lots in the city of LA and wanted to open a used car sales lot on this particular corner because it was close to his other used car lots.

A zone change is discretionary review that requires a public hearing and currently costs around \$16,000. The review process begins with DRP staff who will help the applicant determine if the project is appropriate and resolve any issues the proposed zone change may cause before it goes to public hearing. The project will go before the Regional Planning Commission (RPC) and finalizes at the Board of Supervisors (BOS), who make the final decision. Both decision making bodies are tasked with balancing the needs of the larger community and the interests of the applicant when deciding to approve or deny the project.

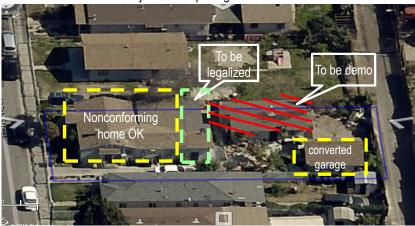


This is an example of how our code describes the accessory uses. At this time the large corner lot is still sitting vacant. The property owner has struggled to secure a good consultant.

## Case #7 Non-conforming Home?

- ☐ Legally built homes exist throughout the county in commercial and industrial zones.

  These homes are nonconforming to today's standards.
- ☐ Today's zoning code does not allow new homes "by right" in such zones.
- ☐ Nonconforming homes are allowed to remain but any modifications to the home are limited and subject to multiple regulations.



A complaint was received in the ZE section for a converted garage and unpermitted addition to a SFR. The inspector learned that this residence was legally built prior to the zone becoming M-1 (Light Industrial). Therefore, the residence is legal nonconforming to the zone but it is allowed to remain, this is commonly known as-- "Grandfathering." However, the inspector also noted a large unpermitted addition that was done to the home, before the owner purchased the property.

In this case the owner ended up restoring the garage back to its original use; he demolished a large section of his home (stripped red) and submitted a plot plan to legalize a small addition to his home (green dashes). Given the limitations of the nonconforming home he is only allowed to propose 92 square feet of habitable space. The property owner was extremely upset to learn that he needed to demo a large portion of his home since it was added illegally and could not be legalized. His plot plan is still pending for the 92 square feet.



A property owner purchased a property at an auction without seeing the property or researching any of the permits. I drove by one day and noticed a new business was coming into the community.

I noticed it had new paint, lighting, and windows. After doing some research I learned that this "mini market" was not permitted in a residential zone. As it turns out the shop used to be attached to the home and used to be someone's music room. A previous homeowner closed it off and tried to create a separate use out of it.

The business owners were stunned to learn that they would never be granted a business license to operate in the Two Family Residential Zone (R-2). They shared with me they had spent almost \$8,000, purchasing new lighting, display cabinets, security equipment and even new front door.

Just because something looks legitimate does not mean that it is. Always do your research before investing in a property.

## Public Counter & Field Offices

- For more details regarding your property please visit our public counter or one of the field offices.
   LA County's Department of Regional Planning,
   Land Development Coordinating Center (LDCC)
   320 W Temple St. 13<sup>th</sup> floor Los Angeles, CA 90012
- For any specific questions please contact the LDCC (213) 947- 6411 <u>zoningldcc@planning.lacounty.gov</u>

You can also obtain zoning information at the Downtown public counter known as the Land Development Coordinating Center or at one of the field offices listed on the brochure.



Thank you for your participation, our contact information is on the slide. For more information about our field offices please see the "Buying Property? *What To Know Before You Buy*" Brochure that accompanies this presentation.